

# **SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD**

## **EXECUTIVE OFFICER'S REPORT**

**May 12, 2004**

### **PART A**

#### **SAN DIEGO REGION STAFF ACTIVITIES** *(Staff Contact)*

1. **U.S. EPA Selects San Diego Regional Board for 2004 Environmental Achievement Award** *(John Robertus) (Attachment A-1)*

Chairman John Minan and Executive Officer John Robertus attended the 6th Annual Environmental Awards ceremony on April 20, 2004 held at the U.S. EPA Region IX Headquarters in San Francisco. They accepted the 2004 Environmental Achievement Award on behalf of the Regional Board, staff and those regional dischargers that have contributed to the success of the Regional Board's Municipal Stormwater Program and Sewage Spill Reduction Program. The San Diego Regional Board was one of 36 recipients of various awards made to public and private organizations and individuals. The letter announcing the award to the Regional Board and the Regional Board press release are included as Attachment A-1.

2. **Industrial Stormwater Program and Requirements Specific to the Biotechnology Industry** *(John R. Phillips and Tony Felix)*

In response to an invitation by the Industrial Environmental Association (IEA), on April 23, 2004, John R. Phillips and Tony Felix of the Regional Board gave a presentation to representatives of the biotechnology industry in the San Diego area. The presentation focused on the Industrial Storm Water Program's requirements and how the requirements may affect the biotechnology industry. About fifteen people were in attendance consisting of local biotechnology representatives and environmental consultants.

Regulatory issues and concerns that were discussed at the presentation included:

- Permitted and non-permitted Standard Industrial Classifications (SIC) for the Biotechnology Industry,
- An overview of the permit requirements,
- The difference in the requirements of the General Industrial and Municipal Permits,
- Inspection requirements,
- How to evaluate your outdoor activities, and
- A presentation illustrating Best Management Practices attributed to source and structural control measures.

The Regional Board continues to work with the IEA to actively educate their membership about storm water requirements and provide guidance on pollution prevention measures in the San Diego area.

### 3. Mission Valley Terminal Workshop (*Kelly Dorsey and John Odermatt*)

On May 3, 2004, the Regional Board held a public workshop for the purpose of soliciting public comment on the "Final Summary Report for the Mission Valley Terminal Site."

The workshop was publicly noticed and additional information was made available on the Regional Board web site at:

<http://www.swrcb.ca.gov/rwqcb9/misc/kelly%20workshop.htm>

The attendees (22 people) included representatives from Kinder Morgan Energy Partners (Kinder Morgan), the City of San Diego, Sierra Club, Audubon, and the San Diego River Coalition. Kinder Morgan and the City of San Diego made formal presentations lasting approximately 1.5 hours. The speakers' comments focused on 3 broad points:

- The timeframe required for effective cleanup and abatement of groundwater pollution from the Mission Valley Terminal site.
- Technical aspects of the approach proposed by Kinder Morgan for the remediation of groundwater pollution.
- The extent of groundwater cleanup that is necessary to protect the existing and designated beneficial uses of groundwater resources and surface water resources of the San Diego River.

The Regional Board accepted written comments on the Final Summary Report for the Mission Valley Terminal Site until May 7, 2004. All of the comments received will be reviewed and considered by the Regional Board when developing an addendum to cleanup and abatement Order (CAO) No. 92-01 to prescribe tentative final cleanup levels and remediation milestones. The Regional Board staff anticipates preparing a tentative addendum to CAO No. 92-01 for consideration by the Regional Board during October or November 2004.

### 4. Training on Environmental Study Design and Analysis (*Phil Hammer*)

On April 15, 2004, Jimmy Smith and Phil Hammer attended a full day training session on environmental study design and analysis hosted by MEC Analytical Systems. The session was taught by Dr. Roger H. Green, Professor Emeritus at University of Western Ontario, a noted expert in the field of environmental study design and statistical analysis. Some topics covered during the session included statistical power analysis, statistical analysis by univariate and multivariate models, and statistical analysis of variance. Information garnered from the training session will be helpful in assessing local monitoring program designs and the data generated by local monitoring programs.

## **PART B** **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

1. Sanitary Sewer Overflows (SSO) (*Charles Cheng, David Hanson, Bryan Ott, Victor Vasquez*)  
(Attachment B-1)

From April 1 to April 30, 2004, there were 23 sanitary sewer overflows (SSOs) from publicly-owned collection systems reported to the Regional Board office; 12 of these spills reached surface waters or storm drains of which one resulted in closure of recreational waters. Of the total number of overflows from public systems, six were 1,000 gallons or more.

Six sewage overflows from private property in April were also reported; one of these overflows was 1,000 gallons or more; two reached surface waters or storm drains; and one resulted in closure of recreational waters.

A total of 0.60 inches of rainfall was recorded at San Diego's Lindbergh Field in April 2004. For comparison, in March 2004, 0.22 inches of rainfall were recorded, and 19 public SSOs were reported. Also for comparison, in April 2003, 1.41 inches of rainfall were recorded and 32 public SSOs were reported.

Attached is a table entitled "Sanitary Sewer Overflow Statistics," updated through April 30, 2004, which contains a summary of all sanitary sewer overflows (by FY) from each agency since FY 2000-01. From July 1, 2003 through April 30, 2004, approximately 111.0 billion gallons of sewage was conveyed through the Region's sewage collection system of which approximately 8.1 million gallons was spilled (0.0073%).

For additional information on SSOs in FY 2002-2003 see the table entitled "Public SSO Statistics Summary for FY 2002-2003 (July 1-June 30)" attached to the February 2004 Executive Officer's Report (available on the Regional Board's website [www.swrcb.ca.gov/rwqcb9](http://www.swrcb.ca.gov/rwqcb9)).

No Notices of Violation for SSOs were issued during the month of April 2004.

2. Clean Water Act Section 401 Water Quality Certification Actions Taken in April 2004  
(*Stacey Baczowski*)

Section 401 of the Clean Water Act requires that any person applying for a federal permit or license which may result in a discharge of pollutants into waters of the United States, must obtain a state water quality certification that the activity complies with all applicable water quality standards, limitations, and restrictions. The majority of project applications are submitted because the applicant is also applying for a section 404 permit from the Army Corps of Engineers, and propose filling or armoring of creeks and streams. Public notification of pending 401 Water Quality Certification applications can be found on our web site at: <http://www.swrcb.ca.gov/rwqcb9/programs/401cert.html>.

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION/WATERBODY	CERTIFICATION ACTION <sup>1</sup>
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4/1/04	City of San Clemente	San Clemente Pedestrian Beach Trail	Construct a 2.37 mile pedestrian beach trail in the city of San Clemente. (San Clemente HA)	Low impact
4/5/04	Port of San Diego	Coronado Golf Course Revetment Repair	Restoration of approximately 1,000 to 1,200 feet of shoreline on San Diego Bay.	Conditional
4/6/04	Rancho Fortunado Estates	Tentative Tract No. 25122, Amendment No. 6	Temporary encroachment into Wildomar Channel to provide a vehicular crossing and placement of three permanent discharge outlets.	Conditional
4/7/04	City of San Juan Capistrano	760 Zone SC-04 Reservoirs	Installation of a 4-million gallon water tank on a graded pad at the top of Reservoir Canyon; connecting a water pipe that currently stops there to a water pipe at the dead-end of Calle Delgado. (San Clemente HA)	Conditional
4/8/04	Michael Crews Development II	Potter's Creek	Construct a 24-foot roadway for access and utilities within a 16-lot subdivision. (San Luis Rey River)	Low impact
4/14/04	County of San Diego, Department of Public Works	Wildcat Canyon Road Enhancement Project	Widen Wildcat Canyon Road to accommodate two northbound travel lanes, a passing lane, and one southbound travel lane. (Wildcat Canyon Creek)	Conditional
4/14/04	City of Carlsbad	Rancho Carlsbad Channel Maintenance Project	The proposed project is the removal of accumulated sediment from Agua Hedionda Creek within the Rancho Carlsbad mobile home park. (Agua Hedionda Creek)	Withdrawn
4/20/04	National Steel & Shipbuilding Co.	NASSCO Ways 3&4 Groundways Expansion	Expanding and extending previously constructed groundways to support launching larger vessels from building ways 3 and 4. (San Diego Bay)	Conditional
4/23/04	Orange County Transportation Authority	Trabuco Creek Bridge	Perform temporary excavation around pier and abutments and place concrete encasement around pier and abutment faces, and replace existing superstructure with new precast concrete girders. (Trabuco Creek)	Conditional

<sup>1</sup> Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the projects will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines.

### 3. San Diego Municipal Storm Water Permit Update *(Phil Hammer)*

The reviews of the Copermittees' Annual Compliance Reports have been completed. The Annual Compliance Reports describe each Copermittee's urban runoff management activities conducted during the previous year. Each Copermittee has received a comment letter from the Regional Board discussing the findings of the review. The comment letters identify areas where more information needs to be submitted now and in the future. The review of the City of Lemon Grove's Annual Compliance Report resulted in the issuance of a Notice of Violation. The Notice of Violation was issued because of the lack of adequate information provided in the Annual Compliance Report.

Compliance evaluations of the Copermittees' urban runoff management programs continue to be a Regional Board priority. The compliance evaluations are detailed assessments of each municipality's overall success in meeting the requirements of the San Diego Municipal Storm Water Permit (Permit). The urban runoff management programs of the Cities of Lemon Grove, Santee, Encinitas, and Poway were evaluated on April 26-28, 2004. Sixteen of the twenty-one San Diego County Copermittees have now been evaluated since adoption of the Permit. A report containing the findings of the four most recent compliance evaluations should be finalized in approximately one to two months. Once finalized, this report will be available for review upon request.

The compliance evaluations conducted to date have generally exhibited significant progress on the part of the Copermittees in developing and implementing their urban runoff management programs. While each compliance evaluation has identified areas where progress is still needed, on the whole the Copermittees' urban runoff management programs have moved forward under the San Diego Municipal Storm Water Permit. Two areas frequently identified during compliance evaluations as needing improvement are (1) development of methods to assess the effectiveness of the urban runoff management programs and (2) application of the Standard Urban Storm Water Mitigation Plan (SUSMP) requirements to new development and redevelopment projects. The Regional Board plans to continue working with the Copermittees on these issues over the rest of this year.

### 4. San Diego County Municipal Storm Water Permit Reissuance Analysis Summary *(Phil Hammer)* *(Attachment B-4)*

Prior to beginning the process for reissuance of the San Diego County Municipal Storm Water Permit (Permit), the Regional Board is working to identify the permitting approach that will best protect water quality for the next permit term while also satisfying the interests of the various stakeholders. The Regional Board has undertaken a planning process to identify an appropriate permitting approach for the next permit term. The first step of this planning process has been to develop a draft report which identifies the Regional Board's proposed municipal storm water permitting approach for the next municipal separate storm sewer system (MS4) Permit.

The draft report was mailed to the Copermittees on May 7, 2004. The cover letter for this mailing and the draft report are attached (Attachments B-4a and b). The draft report is

also posted on the Regional Board website and will be emailed to other identified interested parties.

The draft report summarizes the initial analysis undertaken by the Regional Board to identify a watershed-based permitting approach for the next storm water permit for San Diego County. It is anticipated that the permitting approach sought by the Regional Board will serve as a starting point, which will focus the efforts of the Regional Board and stakeholders during the re-issuance process.

The Regional Board is issuing the draft report to provide stakeholders with the opportunity to provide input on the draft report. Any input on the draft report is to be submitted to the Regional Board by close of business June 4, 2004. The Regional Board has requested that any input provided be limited in scope to addressing only the broad permitting approaches and permit framework concepts discussed in the draft report. Ample opportunity will be provided for further input on the content of the next Permit as the permit reissuance process proceeds.

Input received will be used by the Regional Board to determine future steps to be taken during the reissuance process for the next Permit. Following receipt of input on the draft report, the Regional Board plans to present the draft report to its Board members for their discussion and consideration.

##### 5. Riverside County MS4 Permit Renewal Update (*Megan Quigley*)

At the June 9, 2004 meeting, the Regional Board is scheduled to consider adoption of the Riverside County Municipal Storm Water permit (tentative Order No. R9-2004-001). The first draft of the tentative Order was issued to the public on December 15, 2003. Written comments were accepted through March 10, 2004, and the Regional Board accepted verbal testimony at the February 11, 2004 meeting. The Northern Watershed Protection Unit has drafted written responses to significant comments and has revised the tentative Order accordingly. Many minor modifications have been made to the tentative Order for clarification purposes. The following significant changes were made in response to comments and to address the issues that were raised at the February 11, 2004 meeting:

- The receiving water monitoring requirements were significantly reduced to the essential equivalent of the Permittees' proposal.
- The residential program (section H.3 of the tentative Order) was revised to allow the Permittees more flexibility to prioritize areas and activities and BMP requirements.
- The 1-year time schedule to develop and fully implement the entire Order remains unchanged. The schedule for revising the grading ordinances, however, was extended from 6 months to 1 year.

On May 7, 2004, the revised tentative Order No. R9-2004-001, the revised Fact Sheet, and the written responses to comments were released to the public. A notice was mailed

to the Permittees and other interested parties, and the documents were posted on the Regional Board web page at:

[http://www.swrcb.ca.gov/rwqcb9/programs/rsd\\_stormwater.html](http://www.swrcb.ca.gov/rwqcb9/programs/rsd_stormwater.html). A public notice of the release of the revised tentative Order and its proposed adoption at the June 9, 2004 Regional Board meeting has also been published in the Riverside Press-Enterprise.

6. Duke Energy, South Bay Power Plant – Studies Workshop (*Hashim Navrozali*)

A public workshop will be held on May 19, 2004 at 0900 at the Regional Board office to enable Duke Energy, LLC (Duke Energy) and its contractors to present an overview of the five studies conducted at the South Bay Power Plant (SBPP). The studies address compliance with Sections 316(a) and 316(b) of the Clean Water Act (CWA) and assessment of the impacts of the SBPP discharge on the beneficial uses and water quality objectives of south San Diego Bay. Following is a list of the five studies that will be discussed in the meeting:

- Updated Discharge Impact Assessment Study for Compliance with CWA Section 316(a).
- CWA Section 316(b) Updated Comprehensive Demonstration Study – Intake Structures.
- Updated Eelgrass Study.
- Updated Dissolved Oxygen Assessment Study.
- Investigation of Compatibility of Discharge with the Goals of the South San Diego Bay National Refuge.

A public notice for the workshop has been distributed to interested parties. Copies of the draft technical reports associated with the studies have also been made available to resource agencies, environmental groups, and interested parties for their review. The studies are also posted on the Regional Board's website.

The results of the studies and comments provided by the public on the studies may be used in the Regional Board's development of a renewal NPDES permit for the SBPP. A tentative NPDES permit is expected to be available for public review and comment in June 2004.

7. SB 68 (Alpert) San Diego Bay Advisory Committee for Ecological Assessment (*Pete Michael*)

The San Diego Bay Advisory Committee for Ecological Assessment was created under authority of Section 13368 of the California Water Code as amended by SB 68 and is tasked with preparing a report by January 1, 2006 to the Legislature, the State Water Resources Control Board, the San Diego Regional Board, and other organizations. The following report topics are specified in the legislation:

- the overall health of the Bay, including pollutant trends and species diversity;
- an identification of habitat enhancement projects;

- an assessment and recommendations for best available technology pollutant control technology economically available for storm water; and
- an assessment and recommendations for best conventional pollutant control technology economically achievable for storm water treatment systems.

The Advisory Committee consists of representatives of the County Board of Supervisors, city councils, environmental organizations, Port of San Diego, San Diego Port Tenants Association, Convention and Visitors Bureau, City of San Diego Metropolitan Wastewater Joint Powers, and Scripps Institution of Oceanography. Non-voting members include representatives of the Navy, Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service, University of California, and California State University San Diego. The Regional Board is not a member. The Committee is chaired and staffed by the Port of San Diego; however, no funding was provided in the Legislation.

The Advisory Committee held its first meeting at the Port of San Diego on April 19, 2004 to identify sources of information for water quality and natural resources. Art Coe and Pete Michael attended as advisors to the Committee, and Pete Michael made a presentation on sources of water quality information for the required report. The Advisory Committee also heard presentations on other sources of water quality information and on the San Diego Bay Integrated Natural Resources Management Plan written by the Navy and the Port of San Diego in 2000. The Committee will again meet in late May to discuss the makeup of sub-committees for writing the report.

A future discretionary issue is whether the Committee intends to “provide oversight and assistance in the Navy's development of alternative acute toxicity effluent limitations for discharges of storm water runoff associated with industrial activity” for Naval Base Point Loma, Naval Base San Diego, and Naval Base Coronado.

#### 8. Consolidated Grant Programs Update *(Dave Gibson)*

Grant Agreements are being prepared for the 10 proposals that were awarded grant funding in the 2003 Consolidated Watershed Protection, Watershed Management, and Non-Point Source Pollution Control Grants (Consolidated Grants). Three Grant Agreements have been processed and sent back to the Department of Financial Assistance and the Office of Chief Counsel for final review and approval. The other 7 Grant Agreements should be completed by early June 2004.

The SWRCB, CALFED, and the Bay Delta Review Panel have completed the review of proposals recommended for funding in the Proposition 13 and 50 CALFED/Bay Delta programs. The State Water Resources Control Board (SWRCB) will conduct a workshop in June 2004 on the remaining Consolidated Grants proposals, including four projects from the San Diego Region. If approved, Grant Agreements for these proposals will be prepared and approved by August 2004.



With respect to the previously funded grant projects from Proposition 13, all of the Phase II projects now have signed contracts or contracts that are now being processed by the Department of General Services and sent to the project proponents for signature. Most of the Proposition 13 Phase I and Phase II projects currently underway are on schedule. Two Phase I projects in the Aliso Creek and Otay River watersheds, however, are significantly behind schedule with as little as 5% of the funds invoiced after 22 of 32 months of the contract term now completed. In addition, there are significantly delinquent reports for these storm water treatment and watershed planning projects. The Regional Board is currently working with these Project Directors to ensure timely and satisfactory completion of their projects by March 1, 2005.

**9. Proposition 40 and Proposition 50 Grant Programs** *(Dave Gibson)*

The SWRCB is preparing the Proposition 40 and Proposition 50 Agricultural Water Quality Grant Program (AWQGP) that will provide approximately 20.9 million dollars to implement projects to reduce or eliminate the discharge of agricultural pollutants to waters of the state and perform water quality monitoring related to those activities. Draft guidelines for the AWQGP have been prepared and are being reviewed by the Grant Coordinators at the regional boards. The SWRCB will consider approval of these guidelines on July 22, 2004. In addition, the federal 319(h) Non-Point Source Pollution Reduction program grants will be released in concert with the AWQGP and will target TMDL implementation for water bodies impaired by agricultural pollutants. The SWRCB plans to release of the AWQGP Request for Proposals in October 2004. More information on this grant program can be found at:  
<http://www.swrcb.ca.gov/funding/awqgp/index.html>.

The Department of Water Resources and SWRCB held public scoping meetings in March and the guidelines are being prepared for the Proposition 50 Integrated Regional Water Management Grants Program (IRWM). The IRWM grant program will make 381 million dollars available for competitive grants for projects to protect communities from drought, protect and improve water quality, and improve local water security by reducing dependence on imported water. The guidelines will be posted for a 30-day review and comment in July 2004 on the DWR and SWRCB websites:

SWRCB - <http://www.swrcb.ca.gov/funding/irwmgp/index.html>  
 DWR - <http://www.grantsloans.water.ca.gov>).

The first Request for Proposals of 10 million dollars is scheduled for September 2004 will be directed at planning projects for up to \$250,000. Proposals will be due in November. Subsequently, the balance of the IRWM will be directed at implementation projects in January 2005. The breakdown of funds between DWR and SWRCB in the IRWM grant program is provided in the table below.

**Table 1: Proposition 50 IRWM Total Bond Funds Available (\$500 million)**

	<b>DWR</b>	<b>SWRCB</b>
Total Funds Available	\$250,000,00	\$250,000,00

	0	0
Program Delivery (5%)	-\$12,500,000	-\$12,500,000
Bond Issuance/Statewide Costs (3.5%)	-\$8,750,000	-\$8,750,000
FY 02-03 Fund Shift – Governor's Drought Program <sup>1</sup>	-\$6,400,000	\$0
Groundwater Recharge Grants <sup>2</sup>	-\$20,000,000	\$0
Comprehensive Groundwater Monitoring Program	\$0	-\$45,750,000
Total Funds Available for IRWM Grants – by Agency	<b>\$202,350,000</b>	<b>\$183,000,000</b>
	0	0
<b>Total Funds Available for IRWM Grants</b>	<b>\$381,100,000</b>	

1) Funds awarded for Local Groundwater Assistance Grants.

2) \$10 million committed in January 2004.

#### 10. 2004 – 2005 State Revolving Fund Priority List (*David Hanson*)

The State Water Resources Control Board (SWRCB) manages and implements the State Revolving Fund (SRF) as one of its financial assistance programs. The SRF program provides low interest loans to address water quality problems associated with discharges of wastewater and water reclamation facilities, as well as for nonpoint source discharges and for estuary enhancement. The program has operated since 1989 and has issued over \$2.7 billion in loans to local agencies.

Because the number of applicants and requested loan amounts exceed the loan funds available, the SWRCB maintains a priority list from which projects are chosen for funding. Each year, the SWRCB sends out a preliminary priority list and requests input from Regional Boards and other interested parties. An updated priority list, from which projects are chosen for funding in the fiscal year that follows, is usually adopted by the SWRCB in June.

In February 2004, the SWRCB provided notification that, at the present time, the cash flow balance of the SRF program has been fully committed and does not allow for any further commitment of funds. No new loan applications are to be accepted, and all activities associated with loan applications recently received will remain on hold until the cash flow balance is able to accommodate new loan commitments. The SWRCB did, however, request assistance from the Regional Boards and interested parties in updating the priority list to document current funding needs and insure that SWRCB is prepared to identify projects when the program resumes. This Regional Board provided comments on the preliminary 2004 – 2005 priority list to the SWRCB in April 2004. The SWRCB is hopeful that the program will resume within 18 to 24 months.

#### 11. Aquatic Pesticides Program (*Pete Michael*)

In March 2001 the U.S. Ninth Circuit Court issued an opinion that an application of aquatic pesticides to surface waters required an NPDES permit in addition to compliance with federal and state pesticide laws. The State Water Resources Control Board in June

2001 issued an interim general permit, *Water Quality Order (Order) No. 2001-12-DWQ* to allow continued application of aquatic pesticides. In August 2001, Waterkeepers of Northern California filed a lawsuit in state court challenging the interim permit. In the settlement agreement the State Board funded a monitoring program to evaluate pesticide toxicity and management practices. There are ten San Diego Region public agency enrollees in the State Board's 2001 general permit, including water districts, cities, and counties. Because of the preponderance of the use of the integrated pest management approach in the San Diego Region, the primary pesticides used for weeds control in canals and vector control of mosquito larvae are of the least toxic type; for example, copper, glyphosate, and diquat.

On May 20, 2004 the State Board will consider two NPDES permits, *Statewide General National Pollutant Discharge Elimination Systems (NPDES) Permit for the Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States (General Permit)* and *Statewide General National Pollutant Discharge Elimination Systems (NPDES) Permit for Discharges of Aquatic Pesticides to Surface Waters of the United States for Vector Control (General Permit)*. The weed permit and vector control permit would replace the 2001 aquatic pesticides permit. The State Board permits would require use of best management practices in choosing and applying pesticides, and monitoring and reporting.

The aquatic weed permit covers applications of the herbicides 2,4-d, acrolein, copper, diquat, endothall, fluridone, glyphosate, rotenone and triclopyr based pesticides. The permit, however, does not cover storm water from agriculture or return flows from irrigated agriculture. For copper and acrolein, California Toxics Rule standards apply. For certain pesticides, the MUN beneficial use standards apply. Narrative effluent limitations are included in the permit for other pesticides because of the difficulty in establishing numeric limitations. Monitoring is required within a week of pesticide application, but the project period is not discretely defined. Following completion of an aquatic pesticide project, a qualified biologist must certify that beneficial uses have been restored. A procedure is established for short-term or seasonal categorical exceptions for compliance with priority pollutant standards. The exception requires submission of California Environmental Quality Act (CEQA) documents. Dischargers applying for and receiving CEQA exceptions may apply pesticides over longer periods, such as over summer months, without being required to monitor within one week. As of May 2004 only the Metropolitan Water District in the San Diego Region has filed documents to qualify for the CEQA exception. The weed permit and the notice are posted at <http://www.swrcb.ca.gov/docs/weedpermit.pdf>

The aquatic vector permit covers applications of growth inhibiting substances, oils, and microbiological agents to control human health vectors, mainly mosquitoes. Control agents covered under the vector permit include those containing the following active ingredients or substances: *Bacillus sphaericus* (bs), *Bacillus thuringiensis* var. *israelensis* (bti), monomolecular film, petroleum oil, paraffinic white mineral oil, dimilin, S-methoprene, and Temephos. The legislature found in 2002 that "... the protection of

Californians and their communities against the discomforts and economic effects of vector-borne diseases is an essential public service that is vital to public health, safety, and welfare.” [Health and Safety Code section 2001(b)(3); Senate Bill No.1588 (2002)]. CEQA exceptions are not needed because aquatic vector control agents do not contain priority pollutants. The vector permit and the notice are posted at <http://www.swrcb.ca.gov/docs/vectorpermit.pdf>

**12. Supplemental Environmental Project Quarterly Status Report (Rebecca Stewart)**  
(Attachment B-12)

This is an update to the status report on Supplemental Environmental Projects (SEPs) in the San Diego Region previously provided to the Regional Board. The SEP summary table provides information regarding the SEP projects such as, the objective, the responsible party and trustee, ACL Order number and monetary amount, watershed, Regional Board contacts, and current SEP status.

There are currently nine active SEPs being monitored by the Regional Board. No new projects have been added since March 13, 2003.

**A. ACL Order No. R9-2003-0037 – (South Coast Water District)**

*Water Quality Testing lab at Shorecliffs Middle School, San Clemente*

This SEP provides funding to establish a water quality laboratory at Shorecliffs Middle School providing students with a scientific, hands-on opportunity to learn about water pollution. Water quality testing activities continue to be conducted at T Street Beach in San Clemente with analytical results being posted in the Surfrider Foundation's website. The students will present the findings of their ocean water testing at the Surfrider Foundation San Clemente Chapters' regular meeting in June, which will conclude this SEP.

*Water Quality Testing Program at Laguna Beach High School*

This SEP provides funding for the continuation of an existing water quality testing program at Laguna Beach High School. Students have been collecting water samples at seven beaches in the Laguna Beach area. Water quality results have been posted on the Surfrider Foundation's website, distributed in flyers throughout the community, and e-mailed to the environmental staff of the City of Laguna Beach. Students will present the findings of their ocean water testing at the Surfrider Foundation Laguna Beach Chapters' regular meeting in June, which will conclude this SEP.

*Community Kelp Restoration Project*

The Orange County Coastkeeper is currently in the process of obtaining the necessary permits from the California Coastal Commission, the Army Corps of Engineers, and the State Lands Commission to expand a kelp reforestation project being conducted in conjunction with the Santa Monica BayKeeper in Malibu, Los Angeles County and Crystal Cove in Orange County. The expansion will move the project south into Laguna

Beach. To date, 19 dives have been conducted and the assessment of baseline data and data entry is nearly complete. Kelp being grown at the ACCESS school in Dana Point is currently being planted in the Crystal Cove project site. Classrooms are currently seeding kelp that will be planted in Laguna Beach after all permits have been obtained. The portion of the Kelp Restoration Project funded through this SEP is scheduled to run through Fall 2004.

**B. ACL Order No. 2003-0253 (Shea Homes, Carlsbad)**

*Agua Hedionda Lagoon Foundation Environmental Enhancement Account*

Shea Homes (Encinitas Ranch Development) provided \$40,000 to the Foundation to promote their mission to conserve, restore, and enhance the natural resources of Agua Hedionda Lagoon. The Foundation has until February 2005 to expend the funds.

**C. ACL Order No. 2000-103 (Adobe Falls Sewage Spill-City of San Diego)**

The Regional Board approved funding for eight SEPs through the adoption of ACL Order No. 2000-103. Of the eight projects, the Beach Valuation Project was never completed and the allocated funds, plus interest, were returned to the State. The San Diego River Nutrient Study was completed in November 2003. The Storm Drain Sediment Trap at Famosa Slough was completed in May 2003 and is currently undergoing a 3-year maintenance program. The Natural Resources Restoration Master Plan for the San Diego River in the City of San Diego SEP was completed on May 20, 2003 and is currently undergoing a 5-year maintenance program. In the original SEP authorization, the remaining four projects were projected to be nearly complete.

*Restoration of Adobe Falls Open Space Park*

The project is currently 85-95% complete and should be completed by the scheduled completion date of May 20, 2004.

*Mission Bay Water Quality Survey*

Monitoring of 24 sample sites in and around Mission Bay is continuing on a weekly basis. The project has a completion date of June 4, 2004.

*Restoration of Chaparral Canyon Park*

The palm tree removal company contracted by the City of San Diego defaulted on their commitment to remove 21 canary island date palms from the site, which has caused a delay in the installation of the irrigation system, hydroseeding, and revegetation. The project has a scheduled completion date of May 20, 2004. It is unclear at this time if the delay will impact the completion date.

*Alvarado Canyon Mitigation*

The City of San Diego reports that they have developed a revised Scope of Work for the project that includes a reduction in the project boundaries due to prolonged negotiations in obtaining a contractor to complete the project. It is unclear at this time as to whether

the change in the scope of work will constitute a significant change in the project. The project has a scheduled completion date of May 20, 2004.

**D. ACL Order No. 2001-174-(Tecolote Canyon Sewage Spill-City of San Diego)**

The Regional Board approved funding for two SEPs through the adoption of ACL Order No. 2001-174. The Mission Bay Contaminant Dispersion Study was completed in May 2003.

*Mission Bay Human Pathogenic Viruses and Epidemiology Combined Study*

The water quality and human health data surveys have been completed. At this time the data is being compiled for statistical assessment and final report generation. The project has a scheduled completion date of December 31, 2004.

**13. Pioneer Builders, Inc. Compliance Schedule (Jeremy Haas)**

Cleanup and Abatement Order (CAO) No. R9-2003-0158 establishes requirements for Pioneer Builders, Inc. (Pioneer) to take corrective action for unauthorized discharges of fill to waters of the State resulting from construction activities associated with the Castillo del Mar project, Tentative Tract Map No. 16197, in the City of Dana Point. Directive No.12 of the CAO as modified, required Pioneer to provide no-less than 0.33 acres of off-site waters of the State mitigation within the San Juan Hydrologic Unit pursuant to the Section 401 water quality certification process. Section 401 Water Quality Certification was issued on March 25, 2004 to Pioneer with the Condition that the proposed off-site mitigation within the City of San Clemente be completed by October 1, 2004.

In addition, Directive No. 2 of the CAO as modified, required Pioneer to complete on-site restoration of no less than 0.066 acres of wetlands/waters of the State within 39 calendar days of the project's Tentative Tract Map extension. Construction activity at the Castillo del Mar project was delayed following the City's time extension for the approval of the Tract Map because additional submittals and review were required by the City prior to allowing work to continue. Subsequently, the SDRWQCB concurred with a request from Mr. Terry Hirschag, Vice-President of Pioneer to allow for 60 days for completion of the on-site work. Also at this time, the SDRWCB had been evaluating a request to amend the CAO to specify June 15, 2004 as the new completion date. On May 5, 2004, Pioneer submitted a conceptual habitat restoration plan for off-site restoration of North Creek at Doheny Beach State Park. The plan would restore twice the acreage as specified in the on-site CAO directive, and the plan has tentative approval from State Parks. If the off-site restoration plan is determined to be feasible, Pioneer will most likely need to request formal modification of the CAO to allow for implementation of the plan in-lieu of the on-site restoration requirement of the CAO.

**14. Regional Board Issues 31 Complaints for Assessment of Civil Liabilities for Failure to Pay Annual Fees (Vicente Rodriguez and Mark Alpert) (Attachment B-14)**

On April 23, 2004, the Executive Officer issued 31 complaints for Administrative Assessment for Civil Liability against dischargers for failure to pay fiscal year 2003 construction storm water annual fees in violation of California Water Code section 13260. The dischargers listed below are those that failed to respond to 1) the original invoice issued by the State Water Resources Control Board (State Board) in November 2003, 2) the Demand Letters issued in January 2004, and 3) the Notice of Violations issued in February 2004.

<b>FACILITY NAME</b>	<b>LOCATION</b>	<b>CITY</b>	<b>WDID</b>	<b>COMPLAINT NO.</b>
BIRTCHEER COMMERCIAL DEV	27611 LA PAZ RD	LAGUNA NIGUEL	S9	R9-2004-0118
BP WEST COAST PROD LLC	4 CENTERPOINTE DR	LA PALMA	S9	R9-2004-0119
BRIDGEPORT BUILDERS LLC	1954 PLACENTIA AVE STE 210	COSTA MESA	S9	R9-2004-0120
BUIE CMNTY INC	11260 EL CAMINO REAL STE 200	SAN DIEGO	S9	R9-2004-0121
CENTEX HOMES	1815 ASTON AVE STE 101	CARLSBAD	S9	R9-2004-0122
CENTURIAN CO INC	2240 SAN CLEMENTE AVE	VISTA	S9	R9-2004-0123
DR HORTON LA HOLDING CO	119 N MAPLE ST STE A	CORONA	S9	R9-2004-0124
FOOTHILL VISTA LLC	2590 SAN CLEMENTE AVE	VISTA	S9	R9-2004-0125
GALE & WENTWORTH CA LLC	2030 MAIN ST STE 200	IRVINE	S9	R9-2004-0126
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0128
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0129
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0130
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0131
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0132
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0133
KB HOMES COASTAL INC	12235 EL CAMINO REAL STE 100	SAN DIEGO	S9	R9-2004-0134
LANDGRANT DEV	12625 HIGH BLUFF DR STE 212	SAN DIEGO	S9	R9-2004-0135
MERIT PROP MGMT ICO CZ	25910 ACERO	MISSION VIEJO	S9	R9-2004-0136
MESA VERDE DEL MAR	3830 VALLEY CENTRE DR # 705521	SAN DIEGO	S9	R9-2004-0137
METROPOLITAN TRANSIT DEV	1255 IMPERIAL AVE STE 1000	SAN DIEGO	S9	R9-2004-0138
NORTH PLAZA LLC	29400 RANCHO CALIFORNIA RD	TEMECULA	S9	R9-2004-0141
RANCHO LA COSTA VILLAGE LLC	15938 BERNARDO CENTER DR	SAN DIEGO	S9	R9-2004-0142
REDEEMER BY SEA LUTHERAN	6355 CORTE DEL ABETO STE 100	CARLSBAD	S9	R9-2004-0143
SAN DIEGO CO SHERIFFS DEPT	PO BOX 429000	SAN DIEGO	S9	R9-2004-0144
SAN DIEGO UNIFIED SCH DIST	4680 RUFFNER ST	SAN DIEGO	S9	R9-2004-0145
SAN DIEGO UNIFIED SCH DIST	4680 RUFFNER ST	SAN DIEGO	S9	R9-2004-0146
SAN MARCOS 54 LLC	6108 IRON KETTLE ST	LAS VEGAS	S9	R9-2004-0147
SARES REGIS GRP	18825 BARDEEN AVE	IRVINE	S9	R9-2004-0148
SUNROAD ENT	4445 EASTGATE MALL STE 400	SAN DIEGO	S9	R9-2004-0149
TAYLOR WOODROW HOMES	2300 CAMINO RAMON	SAN RAMON	S9	R9-2004-0151
TEMECULA VALLEY UNIFIED SCH	40516 RORIPAUGH RD	TEMECULA	S9	R9-2004-0152

The State Board and the Regional Boards reliance on revenues from annual fees to support the cost of regulating permitted discharges has significantly increased as allocation from the general fund has been significantly curtailed. Consequently, the timely and efficient collection of annual fees has increasingly become an important issue.

Most dischargers with waste discharge requirements have exercised reasonable care and have paid their annual fees. However, a number of invoices for annual fees remain outstanding.

Dischargers are provided ample opportunity to either pay the annual fee or demonstrate the project is completed through submittal of a Notice of Termination. Those dischargers that ignore the notices and subsequent warnings, whether through negligence or intent, cost the State additional resources and are the focus of these ACL complaints.

The following is the process followed by the State Board in invoicing and collecting annual fees prior to the Regional Board's initiation of enforcement action.

- Storm Water Annual Fees are invoiced on a quarterly basis. For fiscal year 2003, the first quarter invoices were mailed in November 2003. The dischargers were given a 30-day deadline to pay the fee. Most dischargers exercised reasonable care by either paying the fee or by submitting a Notice of Termination (NOT) or otherwise demonstrating why they should no longer be subject to the storm water permit.
- In January 2004, approximately 60 days after the initial invoice, the State Board issued "Demand Letters" to those dischargers that failed to pay the initial fee notice. The dischargers were not penalized if they then paid the fee or submitted an NOT or otherwise demonstrated why they should no longer be subject to the storm water permit
- Approximately 90 days after the initial invoice, in February 2004, the State Board issued Notice of Violations (NOV) to those dischargers that had yet to pay outstanding invoices. The NOVs warn that failure to pay the fee will make a discharger liable for assessment of civil liability from the date the invoice was due, in addition to the original invoice amount. An example of an NOV is attached. Dischargers were not penalized if they then paid the fee or submitted an NOT or otherwise demonstrated why they should no longer be subject to the storm water permit

After this third step in the process, a discharger has made a decision three times not to pay the invoice nor to exercise reasonable care by notifying the state or by submitting an NOV or otherwise demonstrating why they should no longer be subject to the storm water permit.

On April 23, 2004, approximately 45 days after the State Board's NOVs were issued and fully 130 days after the annual fees were due to be paid, the Executive Officer issued the 31 complaints on the remaining outstanding invoices. The Complaints recommend that liability be assessed at \$10 per day of violation. The liability of the complaints ranged from \$1,310 to \$1,410. The liability was calculated as at least twice the staff cost of bringing an ACL before the Regional Board. The average collection procedure of this nature costs the State \$400.

A public hearing for the complaints are scheduled for the June 9, 2004 Regional Board meeting.

15. 14-Mile Border Infrastructure System (Phil Hammer)

As previously reported, the Regional Board has received an application for 401 Water Quality Certification from the U.S. Border Patrol for the 14-Mile Border Infrastructure



System, which is essentially a 14-mile fencing structure along the U.S./Mexican Border. A 401 Water Quality Certification is required when a project proposes to discharge fill material to waters of the U.S. The Border Infrastructure System project crosses numerous watercourses and wetlands, and proposes to fill approximately 10 acres of waters of the U.S., including riparian areas and coastal salt marsh.

The Border Infrastructure System starts at the Pacific Ocean side of the U.S./Mexican Border in San Diego and extends a fencing structure approximately 14 miles inland. The infrastructure system is divided into six designated areas. Approximately nine miles of the infrastructure system, encompassing Areas II, III and IV, have been completed or are currently under construction. 401 Water Quality Certifications have previously been issued for those portions of the project; impacts to waters of the U.S. in those areas were of a significantly smaller magnitude than those currently being considered. The current project proposal is for completion of the infrastructure system in Areas I, V, and VI. Areas V and VI are nearest the Pacific Ocean, while Area I is farthest inland. The U.S./Mexican Border in the project area is currently secured by a primary fence. The proposed infrastructure system would generally consist of construction of a secondary fence, a patrol road between the primary and secondary fences, a tertiary fence, a maintenance road between the secondary and tertiary fences, lights, and "Integrated Surveillance and Intelligence System" components.

The applicants and the Regional Board most recently met to discuss the project on March 24, 2004. Principal issues which were discussed during the meeting included development of the required California Environmental Quality Act (CEQA) Environmental Impact Report (EIR), proposed fill of Smuggler's Gulch, implementation of effective erosion control measures, and identification of mitigation for the anticipated impacts. As a follow-up to the meeting, the Regional Board has provided the U.S. Border Patrol with an extensive and detailed letter which identifies information required by CEQA, as well as information needed for the 401 Water Quality Certification application to be found complete.

It is our understanding that the U.S. Border Patrol is working towards meeting the requirements of CEQA and providing the requested information. Once all of the notification and information requirements of CEQA have been met, it is expected that the CEQA EIR will be brought before the Regional Board for its consideration. If the EIR is approved by the Regional Board, the 401 Water Quality Certification can then be brought before the Regional Board for consideration at a later date.

16. Proposed Gregory Canyon Landfill (*Carol Tamaki and John Odermatt*)

On April 9, 2004, the Regional Board received the seventh version of the Joint Technical Document (JTD) for the proposed Gregory Canyon Landfill. By letter dated May 7, 2004, the Regional Board deemed the JTD to be conditionally complete. A copy of the conditional completeness letter and the most recent comment letters will be available on this Regional Board's web page at:

[http://www.swrcb.ca.gov/rwqcb9/programs/units/ldu/gregory\\_canyon.html](http://www.swrcb.ca.gov/rwqcb9/programs/units/ldu/gregory_canyon.html)

The Regional Board's determination of completeness is based upon the discharger meeting the following conditions:

- The discharger must provide the Regional Board with a technical report to document the installation of additional point-of-compliance groundwater monitoring wells.
- The discharger must provide the Regional Board with a technical report of results from aquifer pumping tests and an acceptable demonstration that the proposed groundwater-monitoring network is able to provide the earliest detection of release to groundwater from the proposed waste management unit.

From information provided in the most recent JTD, the Regional Board staff understands that the installation of additional groundwater-monitoring wells and the required aquifer pumping tests will be completed in approximately three months. The Regional Board staff has also requested an electronic copy of the latest version of the JTD (on CDs) so that the information may be posted on our web site. This will allow for more effective public access to that information. At this time, the Regional Board staff anticipates that an agenda item may be ready for consideration by the Regional Board in approximately four months (in October or November 2004).

17. Update on Wildfire Solid Waste Management (*John Odermatt*) (*Attachment B-17*)

The Regional Board LDU staff also remains in close contact with landfill operators and other State and local agencies (City and County) as they continue to work through various solid waste management issues associated with the cleanup effort.

Since the Regional Board adopted Resolution No. R9-2003-0391 (November 2003), the Regional Board enrolled a total of 11 dischargers for coverage under the conditional waiver for management of wildfire debris. San Diego Landfill Systems (Allied Waste Inc.) has requested that the Local Enforcement Agencies (LEAs) extend their current waivers for waste acceptance limits (tons per day) to continue accommodating disposal of wildfire related debris at the Ramona, Sycamore and Otay Landfills.

To date, the management and disposal of wildfire solid wastes in San Diego County has been reported to the Regional Board as follows:

**City of San Diego: West Miramar Landfill** - as of March 30, 2004; their records indicate approximately 17,822 tons of fire wastes. The City staff also provided further information on this total as follows:

Source(s) of Fire Debris	Tons	Percentage (%)
City of San Diego	15,745	88
County unincorporated areas	1,063	6
City of Poway	648	4
City of El Cajon	354	2
City of Escondido	12	0.05
<b>Total =</b>	<b>17,822</b>	<b>100%</b>

A graph of wildfire waste disposal at the West Miramar Landfill is illustrated on Attachment B-17a.

**Allied Waste Inc.: Ramona, Sycamore and Otay Landfills** - as of April 30, 2004, Allied Waste Inc. reports a total of 48,404 tons approximately distributed as follows:

*Ramona LF* - approximately 6,159 tons

*Sycamore LF (east of City San Diego)* – 41,695 tons.

*Otay LF* - no specific data reported this month, the existing total is 546 tons.

A graph of wildfire waste disposal at the Allied Waste facilities (Sycamore, Ramona and Otay Landfills) is illustrated on Attachment B-17b.

At the outset of the disaster, the Regional Board LDU staff estimated the total amount of wildfire related debris would range between 150,000 and 300,000 tons (depending upon the level of cleanup at all sites). To date, approximately 58% of the generated wildfire wastes have reportedly been derived from County unincorporated areas while approximately 27% have come from the City of San Diego. The facilities receiving the most wildfire related wastes continue to be the Sycamore or West Miramar Landfills (both located in proximity to City of San Diego). The grand total is 66,226 **tons** of wildfire related wastes discharged to date and are approximately distributed as follows:

#### **OVERALL WILDFIRE WASTE MANGEMENT SAN DIEGO COUNTY (Data through February 2004)**

Source(s)	Total (tons)	Percent %
County	38,437	58%
San Diego	18,174	27%
El Cajon	6,022	9%
Poway	1,826	3%
Santee	346	1%

Ramona	91	0.14%
Barona	1,116	1.69%
Escondido	156	0.24%
San Marcos	27	0.04%
Campo	11	0.02%
Pala	9	0.01%
La Mesa	7	0.01%
Carlsbad	4	0.01%
<b>TOTALS =</b>	<b>66,226</b>	<b>100%</b>

A graph of wildfire waste disposal data for the civilian landfills in San Diego County (Sycamore, Ramona, Otay, and West Miramar Landfills) is illustrated on Attachment B-17c.

Using staff's initial estimates compiled with data from the City of San Diego (Environmental Services Division), tempered by recent field observations and professional judgment, the LDU staff estimates that approximately 44 % of the total wildfire wastes (estimated at 150,000 tons) in the San Diego County may have been discharged into local Class III MSW Landfills as of the end of April 2004. Debris removal and cleanup work in the unincorporated areas of the County (over 2,400 homes destroyed countywide) are expected to generate significantly more debris/wastes for disposal at a much slower pace and cleanup taking place over a period of months or years. The existing conditional waiver, Resolution No. R9-2003-0391, is due to expire on June 30, 2004. In view of the continuing need for management and disposal of wildfire related solid wastes in San Diego County, the LDU staff recommends a 1 year extension of Resolution No. R9-2003-0391, for consideration by the Regional Board on today's agenda (see Item No. 5).

The Regional Board LDU staff will continue to work with State and local agencies, and Landfill operators to resolve debris/waste management issues associated with Regional wildfire recovery efforts.

18. Mission Bay Landfill (*Brian McDaniel and John Odermatt*)

On March 8, 2004 the Regional Board received a Draft Work Plan for investigation of the Mission Bay Landfill from the City of San Diego. The Regional Board staff is completing our review of the draft work plan and we hope to provide written comments to the City of San Diego by the second week of May 2004. The Regional Board staff anticipates that the final report from the proposed investigation of the Mission Bay Landfill will be available to the TAC members in July 2004.

The Regional Board staff is continuing to attend monthly meetings with the Mission Bay Landfill TAC. The most recent meeting of the TAC was held on April 30, 2004.

**PART C**  
**STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION**

1. Monitoring and Assessment of Region 9 Groundwater Basins to Begin in May 2004 as Part of Statewide GAMA Program (*Julie Chan*)

Region 9 groundwater basins to be included in the statewide Groundwater Ambient Monitoring and Assessment (GAMA) Program effort for 2004-05 include the Temecula, Warner Valley, Santa Margarita, San Luis Rey, and Sweetwater basins. SWRCB GAMA program coordinator Angela Schroeter reports that the monitoring effort is slated to begin in late May 2004, provided the contracts are signed on time.

The purpose of the GAMA program is to comprehensively monitor and assess the quality of all groundwater basins/subbasins in the State. The basin assessments will describe constituents affecting groundwater quality, identify trends in groundwater quality, identify emerging constituents of concern, relate groundwater quality to human and natural factors, and identify data gaps. Groundwater quality monitoring results for public supply wells, reported by water purveyors to the Department of Health Services, comprise the basic data for the GAMA program water quality assessments in all of the State's major groundwater basins. The basic water quality data is enhanced by monitoring a randomly selected subset of public supply wells for a supplemental suite of constituents and groundwater age dating.

A total of sixty public supply wells will be randomly selected from the Region 9 basins mentioned above for the enhanced monitoring. The U.S. Geological Survey is the contractor selected to implement the monitoring program. The wells will be sampled and monitored for a suite of constituents including major inorganic constituents, volatile organic compounds (including very low level MTBE analyses), pesticides, trace elements, and perchlorate and other emerging contaminants such as pharmaceutical products (including codeine, caffeine, acetaminophen, ibuprofen and others), NDMA, 1-4 dioxane, and chromium (total and hexavalent). In addition, groundwater from the wells will be age dated to assess basin vulnerability to surface contaminants.

2. Cal/EPA Conducts Ocean Summit to Discuss Ocean Report (*John Robertus*)  
(Attachment C-2)

On May 6<sup>th</sup>, the California Environmental Protection Agency conducted the California Ocean Summit in Sacramento. The purpose of the Summit was to review and develop state-wide advice and recommendations of leading California experts to be used in our national ocean policy. The focus of the presentations and discussion was the recently released U.S. Commission for Ocean Policy's Preliminary Report. The San Diego Regional Board did not have anyone in attendance, however comments were provided to raise concerns about San Diego regional pollution impacts, monitoring and abatement.

The letter of invitation and the Executive Officer response are provided as Attachment C-2.